

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN

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RONNIE JOHNS,

Plaintiff,

CASE NO. 1:07-cv-95

v

HON. JANET T. NEFF

MICHIGAN DEPARTMENT OF  
CORRECTIONS, et al.,

Defendants.

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**ORDER AND JUDGMENT APPROVING MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION**

The Court has reviewed the Report and Recommendation filed by the United States Magistrate Judge in this action. The Report and Recommendation was duly served on the parties. No objections have been filed.

ACCORDINGLY, the Report and Recommendation (Dkt 43) is hereby adopted as the Opinion of the Court.

THEREFORE, IT IS ORDERED that:

1. Plaintiff's Motion For Preliminary Injunction (Dkt 19) is DENIED.
2. Plaintiff's Motion To Amend Complaint (Dkt 30) is GRANTED, and Plaintiff's Motion For Leave To Supplement Complaint is DENIED.
3. Defendants' Motion For Summary Judgment (Dkt 22) is GRANTED, and this case is DISMISSED in its entirety. The Court finds no good-faith basis for an appeal within the meaning of 28 U.S.C. § 1915(a)(3). *See McGore v. Wrigglesworth*, 114 F.3d 601, 611 (6th Cir. 1997). Should plaintiff appeal this decision, the Court shall assess the appellate filing fee of \$455.00

pursuant to § 1915(b)(1), *see McGore*, 114 F.3d at 610-11, unless plaintiff is barred from proceeding *in forma pauperis*, e.g., by the "three-strikes" rule of § 1915(g). If he is barred, plaintiff will be required to pay the \$455.00 appellate filing fee in one lump sum.

Date: March 20, 2007

/s/ Janet T. Neff  
JANET T. NEFF  
United States District Judge